

# Missouri Department of Natural Resources OPERATOR CERTIFICATION UNIT



## WATER & WASTEWATER DIGEST

**Fall 2022**

### Lead and Copper Rule Revision Update

The Environmental Protection Agency (EPA) finalized the Lead and Copper Rule Revision (LCRR) with its publication in the Federal Register on Jan. 15, 2021 with an effective date of March 16, 2021. The EPA delayed the LCRR twice to solicit additional public comment. During these delays, the EPA received an additional 50,000 public comments. After review, the EPA modified the effective date for the LCRR to Dec. 16, 2021. This article provides an overview of the revisions and additional anticipated changes to the rule.

The LCRR became effective without changes on Dec. 16, 2021, but the following day, the EPA published an intent to make major changes to the rule through a new publication in the Federal Register on Dec. 17, 2021. The changes will come from a new rule called the Lead and Copper Rule Improvements (LCRI). The EPA plans to propose the LCRI in summer 2023 and finalize the rule in summer 2024. The LCRI is going to address several aspects of the LCRR that received public comment.

The EPA has relayed to states the following possible changes that will be in the LCRI.

**Replacement of all Lead Service Lines (LSL).** Replacement includes both publically owned and privately owned portions of the service. President Biden has indicated publicly that the administration's goal is to have all LSLs removed within the next 10 years. Major sources of funding are becoming available to support this. Current funding sources include the American Rescue Plan Act (ARPA) and the Bipartisan Infrastructure Law. Both of these funding sources provide funding for Lead Service Line Inventories (LSLI), and Lead Service Line Replacement Plans, but the Bipartisan Infrastructure Law has funding for Lead Service Line Replacement (LSLR) as well.

**Change lead and copper tap sampling criteria.** Sample site plans will change from what is currently required in the LCRR. The main change discussed is the fifth liter sample protocol. The change may require collecting a sample of the first liter and fifth liter of water and using the highest lead result from these two samples to calculate the 90th percentile for lead.

**Reduce the complexity of the rule.** The EPA has stated there will be changes to the action level and trigger levels. It is possible, the rule will lower the action level to 10 ug/L for lead and eliminate the trigger level requirements.

**Prioritize disadvantaged communities.** The rule will prioritize disadvantaged communities concerning all aspects of the LCRR and LCRI, especially for LSLR.

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**Change the LSLR requirements.** It is unclear how the rule will address the replacement of lead service lines. The rule may require the removal of all LSLs. This would encourage full replacement instead of the LCRR requirement that continues to allow partial LSLR. The rule could also include a mandated percentage of LSLR, with higher replacement percentages established for systems that have had an action level exceedance.

The EPA has stated the only part of the LCRR that will not change is the initial LSLI. Inventories are the only thing water systems need to be concerned with during the next two years. LSLIs will be due for submittal to the state on or before Oct. 16, 2024. EPA released their LSLI guidance on Aug. 4, 2022. With this guidance now released, the department will be better able to provide water systems training and guidance on LSLI development. However, don't wait to get this process started.

All community and nontransient noncommunity water system will be required to submit a LSLI. Developing the LSLI will be a long and time-consuming task. The initial inventory should provide a determination for as many service lines as possible, but it is possible to list lines as unknown. Categories for determination are lead, galvanized requiring replacement, not lead and unknown. Water system staff should update the inventory when additional information is available. Each repair and routine maintenance event is a possible opportunity to update the LSLI. Inventories must include the material composition of the publicly-owned and privately-owned portions of the service line. Updates are required for submittal to the state according to the lead and copper tap sampling schedule a water system is on. The schedule could be annually or every three years. Updates are not required more frequently than annually.

Water systems can start their inventories by reviewing existing records for service lines. Records water system personnel can use to indicate lead service lines can include the age of homes constructed in the area, permits, plumbing codes, maps, master plans, meter installations, service connections, distribution system inspections that may indicate materials used in construction of service lines and others. The utility could consider sending out a survey to all customers to help identify private-owned service line materials. The water system could provide an incentive for the property owner to complete the survey by providing a certain reduction of cost on a customer's water bill.

Although these methods will help, visual inspection will often be necessary to make a determination. When planned or unplanned construction activities expose service lines, water system personnel should record materials used at each service, even if the line is not lead. When doing meter reading or meter replacement that allows visual inspection of service lines, personnel should record the materials used. The goal is to have the material composition of every service line identified on both sides of ownership. There should not be any unknown service lines when all evaluations are complete. Documentation of materials used at each service line will provide evidence that can support a water system's certification that there are no lead service lines present. This evidence can also be used when a water systems has completed LSLR and can certify there is no longer any lead service lines present.

**Guidance Coming Soon.** The department is creating a webpage that will soon be available that will provide updated guidance on LSL inventories. The webpage will contain helpful information such as fact sheets, pictures to aid with identification of lead pipes and connectors, links to EPA documents and video tutorials.

Every community water system and nontransient noncommunity water system must submit their LSL inventory to the department on or before Oct. 16, 2024. Most importantly, public water systems will be required to submit their inventories using an Excel spreadsheet provided by the department from the webpage. This ensures standardized data for uploading inventories and includes all the necessary information pertaining to each service line that will be required by the EPA. The department will provide the inventory template once we confirm it is consistent with EPA guidance.

Private Companies Assisting with LSL Inventories. If you are approached by a company that offers to hire out its services and expertise to help with LSL Inventories, please understand they are not directly affiliated with or recommended by the department. Companies may contract with water systems to help them comply with and understand the State and Federal regulations. Water systems that may be understaffed can freely choose to contract with consultant water companies for assistance to complete their LSL Inventories, but the water system is not obligated to do so. Funding for LSL inventory contracts may be possible using Drinking Water State Revolving Fund (DWSRF) or American Rescue Plan Act (ARPA) allocations. However, DWSRF/ARPA funds cannot be used for staff member's salaries who already work for the water system.

## **New Asset Management Toolkit Available Online for Wastewater Systems**

The United States wastewater industry is facing new challenges in the 21st century that include the repair and replacement of antiquated wastewater collection systems, new regulations, larger and more sophisticated facilities, a diminishing technical labor pool and the loss of institutional knowledge with staff turnover. Operating costs are increasing as modern technologies are incrementally changing the industry. Facility owners and utilities have additional challenges in tracking the performance of current operations, delineating the future scope of retrofit projects and positioning the utility for long-term service goals.

Asset management is an administrative program that can help address these challenges by organizing field inspections, recording the condition of commissioned assets and organizing the future scope of retrofit projects to ensure the municipality gets the most service life out of current and future assets.

The five core components of Asset Management include:

- Current State of Assets – What assets are currently in place and how long will they be operable?
- Level of Service – What is the minimum viable system to satisfy customers and regulators?
- Critical Assets – How severe are the consequences of failure?
- Minimum Lifecycle Cost – How can the operator minimize the long-term operating costs?
- Long Term Funding Plan – What level of funding is needed to design an ideal operating future?

The five steps used to facilitate asset management include conducting an asset inventory, prioritizing your assets and assessing risk, developing an asset management plan, implementing your asset management plan and continual maintenance of your asset management program.

An effective asset management program can reward the municipality with significant efficiencies. These efficiencies include reducing the impact of failed equipment, creating less stressful operations by repairing equipment before failure, maintaining high service levels and reducing the risks encountered by utility operators. Once these practices are in motion, operations will shift from a reactive operational profile to a proactive profile.

**New Toolkit Available at No Cost.** The Missouri Department of Natural Resources Financial Assistance Center issued a State Revolving Fund Technical Assistance grant to Missouri Public Utility Alliance (MPUA) Resources Services Corporation. MPUA used a portion of the grant to develop an Asset Management Toolkit. The Toolkit includes an Excel file for cataloging assets and guidance documents to describe the administrative processes for implementing Asset Management. Utilities can use the Toolkit to catalog and describe the condition of current equipment, evaluate the consequences of asset failure, evaluate the risk associated with asset failure and plan budgets and retrofit projects with a risk-based model.

The AM tool can be viewed and downloaded from the department's Wastewater Systems Resiliency webpage at <https://dnr.mo.gov/water/business-industry-other-entities/permits-certification-engineering-fees/wastewater/construction-engineering/wastewater-system-resiliency>. Additional modules are included that present supporting information such as assessment and inventory plans, risk and rehabilitation forecasting plans and implementation plans.

Incorporating the use of this tool into project management and engineering review would maximize the benefit of State Revolving Fund dollars communities receive for funding their wastewater projects. Additionally, this tool could serve as a long-standing record that provides useful information to new operators and city officials who may have recently taken on the position. This complete record can serve as operational history, current equipment status and an instruction manual for the higher-level administrative functions involved in operating a wastewater utility.



Please share this information with the person responsible for Consumer Confidence Report (CCR) distribution and certification for your water system.

Last year, many water systems used the electronic delivery method to reduce printing and postage costs associated with distributing their CCR. This option allowed direct delivery of the CCR to customers electronically via the internet by providing a unique web address, known as a Uniform Resource Locator (URL) to customers via a utility bill, newsletter, or other means.

The water system must return a copy of the distributed CCR, the certification form and required supporting documentation to the department to receive credit for completing annual CCR requirements.

To meet direct delivery requirements, the URL must go **directly** to the full and complete CCR for that year. The water system must also inform all customers in the same notification that the CCR is available upon request in a paper copy format to reach customers that do not have internet access.

To assist with these efforts, the department generates a "skeleton" CCR with system information and water quality results for all community water systems.

The CCRs are hosted, free of charge, on the department's website providing a unique web address for systems to access the most recent water quality report. The web address, or URL, is unique to each water system and may be accessed by visiting [dnr.mo.gov/ccr/MO0000001.pdf](https://dnr.mo.gov/ccr/MO0000001.pdf) by replacing "MO0000001" with the public water system's identification number. CCRs are updated in April of each year to reflect the water quality report for the previous calendar year.

If a water system was supplied water by an out of state provider or additional testing was performed by an outside laboratory and not reported to the department, those results must also be added to the "skeleton" CCR before being distributed to customers.

The department, with assistance from the Missouri Rural Water Association, developed a video to help community water systems with CCR distribution and certification using electronic delivery. The video is available on the MoDNR YouTube channel, or may be accessed directly at [youtube.com/watch?v=eMvi4O5HoFs](https://youtube.com/watch?v=eMvi4O5HoFs). The video explains the CCR, where to find the online "skeleton" CCR generated for each water system by the department and what must be done in order to make the CCR available to customers.

The department encourages all water systems to take advantage of the tools and information provided on the CCR home page ([www.dnr.mo.gov/ccr/ccr.htm](http://www.dnr.mo.gov/ccr/ccr.htm)) to assist with CCR compliance.

The following table shows the actions required and deadlines for reporting.

Deadline	Action Required
April 1	Reseller Report to Consecutive Systems ("Skeleton" CCR posted on DNR Website)
July 1	CCR Distributed to Customers
Oct. 1	CCR Certification Form Returned to DNR

As a courtesy, the department provides CCR reminders to water systems through an automated calling system to support compliance with CCR regulations. Water systems may receive an automated reminder from the department in May and June regarding distribution of their CCR to customers by July 1 and a reminder in September regarding submittal of their CCR Certification Form to the department by Oct. 1. If you receive a CCR reminder from the department, please take action to complete the activity within the specified timeframe.

Water systems that fail to meet these distribution requirements or reporting deadlines will receive violations according to CSR 60-8.030. If you have questions about this process, need to request changes to your CCR or prefer to use your own URL, please email the department at [CCR@dnr.mo.gov](mailto:CCR@dnr.mo.gov) or contact the department's CCR Coordinator at 573-526-3832.

This is sample language your system may use for electronic delivery.

You will need to change the language below to your system's seven-digit PWS identification number (MO#####) issued by the state in the URL and the 10 digit water system phone number. After distributing the message to customers, return the certification form with supporting documentation to the department.

*"The 2021 CCR is available at [www.dnr.mo.gov/ccr/MO#####.pdf](http://www.dnr.mo.gov/ccr/MO#####.pdf) for a paper copy call (###) ### - ####."*

## Check Your Training Hours

Certified operators are encouraged to access training reports by visiting the department's website at <https://apps5.mo.gov/operator/index.do>. To log in, the password is the last four digits of your social security number.

You can check training hours, renew certificates online, view and update contact information for public drinking water systems, including the chief operator, sample collector and administrative contact.

For more information, contact the department's Operator Certification Unit at 800-361-4827 or 573-751-1600.

## Visit Our Website to Find Training and Exam Dates

The Missouri Department of Natural Resources has redesigned and reorganized its website to improve the



customer experience and allow users to find the information they need easier and faster. The department's new website continues to be hosted as [dnr.mo.gov](http://dnr.mo.gov).

To find the [Operator Certification page](#), select the Water tab from the department's main page to find a list of upcoming training and exam dates.

When viewing the list of training, you may need to use the arrows on the right to view all of the course information.

The results below are based on the start and end dates in the date range fields above. Only the first 100 courses appear below. Please adjust the date range to see additional training courses. Regardless of the date range chosen, only the first 100 records will appear within that range.

Search Reset

First Day	Last Day	Title	Course Number	Location	Sponsor	Coordinator	Vouchers
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